

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**AVIVA STAHL,**

Plaintiff,

v.

No. 19-cv-4142

**FEDERAL BUREAU OF PRISONS, and  
DEPARTMENT OF JUSTICE,**

Defendants.

**DECLARATION OF BETSY GINSBERG**

I, Betsy Ginsberg, do hereby declare and state as follows:

1. I am an attorney admitted to practice in the Eastern District of New York.
2. I am a Clinical Professor and Director of the Cardozo Civil Rights Clinic (the “Clinic”), at the Benjamin N. Cardozo School of Law, where I have been a full-time faculty member since 2010.
3. The Clinic represents the Plaintiff in this action, Aviva Stahl.
4. Attached to this Declaration as Exhibit A is an email exchange between staff in the Correctional Programs Division [“CPD”] in the BOP Central Office and Government Information Specialist with the North Central Regional Office (“NCRO”) of the BOP, Erika Fenstermaker, from August 16-19, 2019 concerning the agency’s search for videos in this case. Defendants provided this document to me during the course of this litigation and have represented that it is a true and correct copy of the email exchange.
5. Attached to this Declaration as Exhibit B is an August 19, 2019 email exchange between the Correctional Services Department of the NCRO and Mr. Fenstermaker also concerning the

agency's search for videos in this case. Defendants provided this document to me during the course of this litigation and have represented that is a true and correct copy of the email exchange.

6. Defendants did not submit these emails in support of their Motion for Summary Judgment and have informed me that they do not object to Plaintiff including them with her summary judgment submission.

I hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed this 10<sup>th</sup> day of February, 2020.

/s Betsy Ginsberg

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Betsy Ginsberg